
OLR Bill Analysis

sHB 5054 (as amended by House "A")*

AN ACT MAKING MINOR AND TECHNICAL CHANGES TO DEPARTMENT OF CONSUMER PROTECTION STATUTES.

SUMMARY:

This bill makes various unrelated changes in the Department of Consumer Protection (DCP) statutes.

These changes affect, among other things, posting DCP regulations and rosters, permits, licenses, and fees. The bill also makes other minor and technical changes.

*House Amendment "A" increases the threshold amount in the home improvement definition from \$200 to \$500.

EFFECTIVE DATE: Upon passage

§§ 1-5 — ELECTRONIC POSTING

The bill allows DCP to post certain regulations and rosters on its website to comply with its publishing and distribution requirements.

Current law requires DCP to:

1. provide the regulations to each alcohol permittee, upon request and biennially, before July 1 of odd-numbered years; publish a pamphlet with the current liquor regulations; and furnish it to any alcohol permittee that desires one;
2. at least annually, before December 31, publish a pamphlet with the current gambling regulations and provide it to anyone who desires one;
3. annually, in September, place a roster with the names and addresses of all registered interior designers and architects with

the secretary of the state and with each town's building department and library; and

4. prepare a roster of all registered well drillers and annually distribute it to each town's local health director or his or her agent and the building inspector.

The law requires the boards for Electrical Work; Heating, Piping, Cooling and Sheet Metal Work; Plumbing and Piping Work; Elevator Installation, Repair and Maintenance; Fire Protection Sprinkler Systems; and Automotive Glass Work and Flat Glass Work to biennially furnish a copy of a roster with everyone licensed or registered by them to each town clerk. Each board must notify the clerk of any deletion from the roster within five days of the deletion. The bill allows DCP to fulfill these requirements by posting the rosters and deletions on its website.

§ 6 — WEIGHTS AND MEASURES ELECTRONIC RECORDING

The bill allows the DCP commissioner to maintain an electronic record, rather than a written report, of the annual test of all scales, weights, and measures used in checking the receipt or disbursement of supplies in each institution that performs these tests. It requires the record to be made available to the supervisory board and executive officer of the institution involved.

The bill also exempts registrants who reside in or have business in Connecticut from fees for calibrating testing equipment. Currently no one is charged this fee.

§§ 7 AND 8 — GAMBLING STATUTES

The bill eliminates DCP's monthly gambling reporting requirement to the state treasurer. This information is available electronically through CORE-CT.

It allows any state resident to apply for a bazaar or raffle permit. Under current law, the applicant must be a voter in the municipality where the permit is sought.

§ 9 — PUBLIC CHARITIES

The bill eliminates the DCP commissioner's authority to grant, for good cause, a six-month extension for charities to renew their registration. It instead extends the renewal registration deadline, by six months, from five to 11 months after the end of their fiscal year, thereby giving all charities the same amount of time to register.

§ 10 — REAL ESTATE LICENSES

The bill changes the reinstated license expiration date from the next succeeding April 31 to (1) March 31 for real estate brokers and (2) May 31 for real estate salespersons.

§ 11 — NEW HOME CONSTRUCTION CONTRACTOR

The bill allows a new home construction certificate to be renewed after its one year expiration and clarifies that it is valid for two years and has the same fee as the original application. Under current law, a certificate cannot be restored unless it is renewed within a year of its expiration.

§ 12 — HOME IMPROVEMENT GUARANTY FUND

The bill requires the DCP commissioner to notify a contractor, before issuing a payment out of the Home Improvement Guaranty Fund, that his or her rights to a hearing are not forfeited while complying with a payment schedule in accordance with a court judgment.

§ 13 — BUYING CLUBS

The bill extends buying club consumer protections to places that offer services, including ones that offer leisure or entertainment. By law, buying clubs must fulfill certain contract requirements, including a notice of cancellation. Under current law, a buying club is a business that offers memberships, for more than \$200, to consumers for a fee that allows them to exclusively purchase consumer goods.

§ 14 — HOME IMPROVEMENT CONTRACTOR

The bill amends the "home improvement" definition to include work proposed or offered by the contractor, not just work agreed upon

by the contractor and owner, that exceeds \$500. Current law applies to work agreed upon that exceeds \$200.

It also makes a minor and technical change in clarifying what “price” means.

§ 15 — REAL ESTATE APPRAISAL

By law, the DCP commissioner may adopt regulations relating to real estate appraisal schools, but the regulations cannot require approval of school instructors. The bill allows the regulations to require instructor approval.

§ 16 — ELEVATOR CRAFTSMAN LICENSE

The bill eliminates the elevator craftsman license. There is no one currently holding this license.

§§ 17 AND 18 — LICENSE EXPIRATION EXTENSION

The bill extends, from one to two years, the time certain licensees have to reinstate their license without retaking a licensing examination.

The affected licensees are electricians; plumbers; solar, heating, piping and cooling contractors and journeymen; elevator and fire protection sprinkler craftsmen; irrigation contractors and journeymen; gas hearth installer contractors and journeymen; television and radio service dealers; and electronic technicians.

§ 19 — RADIO AND TELEVISION

The bill eliminates the temporary permit for television and radio service dealers. Currently a \$40 temporary permit is issued while the applicant seeks licensure.

§ 20 — BOUNCED CHECK

The bill allows the DCP commissioner to charge a license applicant any fees a financial institution charges because of a returned check.

§ 21 — ITINERATE VENDERS

The bill makes a conforming change to the Itinerate Vender Guaranty Fund, by increasing the amount venders pay, from \$100 to

\$200, to conform with the amount the Fund receives (CGS § 21-28).

§ 22 — GAME OF SKILL ADVERTISEMENT

The bill makes a technical change to the game of skill advertisement statute.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/13/2012)

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (04/16/2012)